

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KEVIN GALLADAY,

Petitioner,

– against –

WARDEN, MRS. CARTER, NYC DEPARTMENT  
OF CORRECTION,

Respondent.

**ORDER**

23 Civ. 823 (ER)

Ramos, D.J.:

Kevin Galladay, *pro se*, brought this petition for writ of *habeas corpus* on January 31, 2023, challenging his pre-trial detention in connection with a criminal case pending in the Supreme Court of the State of New York, New York County, docket number CR-022514-21. Doc. 1.

Gallady did not specify a statutory basis for his petition. *See* Doc. 1. The Court therefore issued an order on February 2, 2023, providing that it would construe the petition as brought pursuant to 28 U.S.C. § 2241. Doc. 4. The Court further stated that if Gallanday wished to proceed with his petition, he needed to file an amended § 2241 petition by March 6, 2023 that: (1) identified all of the grounds on which he seeks relief, and (2) pleaded facts to show that he has fully exhausted his state court remedies. *Id.* The order provided that failure to respond or file an amended § 2241 petition by March 6, 2023 would result in dismissal of this action without prejudice. *Id.* To date, Galladay has not taken any further action with respect to his petition.

The Court hereby grants Galladay until **April 21, 2023** to file an amended § 2241 petition or to otherwise respond. **Failure to do so will result in dismissal of this action.** The Clerk of Court is respectfully directed to mail a copy of this order to Galladay.

It is SO ORDERED.

Dated: March 22, 2023  
New York, New York



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EDGARDO RAMOS, U.S.D.J.